

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and larvae.

DISPOSITION: April 15, 1948. Default decrees of condemnation and destruction.

13127. Adulteration of frozen strawberries. U. S. v. 170 Cans * * *. (F. D. C. No. 24132. Sample No. 2626-K.)

LIBEL FILED: November 25, 1947, District of Columbia.

ALLEGED SHIPMENT: On or about October 27, 1947, by the Fussell-Young Ice Cream Co., from Baltimore, Md.

PRODUCT: 170 cans, each containing 45 pounds, of frozen strawberries at Washington, D. C.

LABEL, IN PART: "Lucas Quality Frozen Fruits Strawberries Net Wt. 45 Lbs. When Packed Packed by Maryland Packers, Baltimore, Md."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of rotten strawberries.

DISPOSITION: The Fussell-Young Ice Cream Co., Inc., appeared as claimant and petitioned for the entry of an order permitting the withdrawal of samples, which petition was granted. On May 27, the claimant having advised the court that no answer would be filed, judgment of condemnation and destruction was entered.

13128. Adulteration of frozen strawberries. U. S. v. 150 Cans * * *. (F. D. C. No. 23759. Sample No. 15001-K.)

LIBEL FILED: September 22, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 28, 1947, by Frigid Food Products, from Greenfield, Tenn.

PRODUCT: 150 30-pound cans of frozen strawberries at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy strawberries.

DISPOSITION: May 10, 1948. Default decree of condemnation and destruction.

13129. Adulteration of frozen strawberries. U. S. v. 100 Cans * * *. (F. D. C. No. 23692. Sample No. 85719-H.)

LIBEL FILED: September 9, 1947, District of Columbia.

ALLEGED SHIPMENT: On or about August 19, 1947, by the Baltimore Cold Storage Co., from Baltimore, Md.

PRODUCT: 100 50-pound cans of frozen strawberries at Washington, D. C.

LABEL, IN PART: "Value Brand Fresh Frozen Strawberries * * * Packed By Southern Packing Co., Inc. Baltimore 23, Md."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of rotten strawberries.

DISPOSITION: On September 15, 1947, the Southern Packing Co., Inc., claimant, alleging that it was the packer and shipper of the product, and having filed a motion to take samples, an order was entered authorizing withdrawal of samples. On April 26, 1948, no answer having been filed to the libel, judgment of condemnation and destruction was entered.

13130. Adulteration of frozen strawberry puree. U. S. v. 68 Barrels * * *. (F. D. C. No. 24724. Sample No. 4408-H.)

LIBEL FILED: April 15, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 19, 1944, by Abbott's Dairies, Inc., from Benton Harbor, Mich.

PRODUCT: 68 barrels, each containing 400 pounds, of frozen strawberry puree at Philadelphia, Pa.

LABEL, IN PART: "Strawberry Puree * * * Packed by Eastern Paper S Bon Boston, Mass."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy and decomposed strawberry material.

DISPOSITION: May 25, 1948. Default decree of condemnation and destruction.

JELLY, PRESERVES, AND FRUIT BUTTERS

13131. Adulteration and misbranding of grape jelly. U. S. v. 234 Cases * * *.
(F. D. C. No. 24759. Sample No. 957-K.)

LIBEL FILED: May 6, 1948, Middle District of Georgia.

ALLEGED SHIPMENT: On or about March 24, 1948, by Martin's Foods, from Jacksonville, Fla.

PRODUCT: 234 cases, each containing 24 1-pound jars, of grape jelly at Sparks, Ga.

LABEL, IN PART: "M Martin's Pure Grape Jelly."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, grape juice, had been omitted.

Misbranding, Section 403 (g) (1), the product fell below the definition and standard of identity for grape jelly, since it was made from a mixture composed of less than 45 parts by weight of the fruit (grape) juice ingredient to each 55 parts by weight of the saccharine ingredient.

DISPOSITION: June 22, 1948. Default decree of condemnation. The product was ordered delivered to a Federal institution.

13132. Adulteration of strawberry preserves. U. S. v. 234 Cases * * *.
(F. D. C. No. 23774. Sample No. 82723-H.)

LIBEL FILED: On or about October 3, 1947, District of Montana.

ALLEGED SHIPMENT: On or about July 25, 1947, by Independence Cold Storage, from Independence, La.

PRODUCT: 234 cases, each containing 24 1-pound jars, of strawberry preserves at Great Falls, Mont.

LABEL, IN PART: "Colonial Pure Strawberry Preserves * * * Colonial Cannery, Inc., Independence, La."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance, as evidenced by the presence of mold.

DISPOSITION: December 3, 1947. Colonial Cannery, Inc., claimant, having admitted certain allegations in the libel, judgment was entered ordering the product released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Approximately 18 cases of the seized product (actually 256 cases seized) were destroyed.

13133. Misbranding of preserved watermelon rind. U. S. v. 85 Cases * * *.
(F. D. C. No. 24114. Sample No. 9749-K.)

LIBEL FILED: November 20, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about October 6, 1947, by the Schaaf Preserving Co., from Miami, Fla.

PRODUCT: 85 cases, each containing 24 jars, of preserved watermelon rind at New York, N. Y.

LABEL, IN PART: "Royal Scarlet Contents 1-Pound Preserved Watermelon Rind Spiced and Pickled R. C. Williams & Co., Inc. Distributors, New York, N. Y."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short-weight); and, Section 403 (i) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: December 31, 1947. The Schaaf Preserving Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.